

Maryland State Board of Elections  
 Division of Candidacy and Campaign Finance  
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# 2006 Affidavit of Non-Participation

**NOTE:** Campaign committees not involved in supporting or opposing candidates or issues or conducting any financial activity in connection with the current election year may file an Affidavit of Non-Participation (ANP) to forego the campaign finance reporting requirements. Every continuing campaign committee is presumed to be participating in every election year. With the filing of this Affidavit, your campaign finance entity is excused from filing the Campaign Finance Reports associated with the election year. Please **READ** the instructions on the reverse **BEFORE** completing this Affidavit.

## Gubernatorial Election Year

We, the chairman and treasurer of \_\_\_\_\_, Account number \_\_\_\_\_, having read and understood the instructions, hereby certify that the Committee will not participate in the Gubernatorial election year or conduct any financial activity in connection with the 2006 election.

We further declare that we do not intend to raise, receive, transfer, or spend money or make in-kind contributions in connection with the 2006 election.

We also understand that:

- a. If the committee files this affidavit, the committee is responsible to file the Annual Campaign Finance Report due January 18, 2006. The Annual Report must be filed whether or not financial transactions occurred; and,
- b. If, subsequent to the filing of the affidavit, the committee receives contributions or makes expenditures in the 2006 election year, the committee must:
  - Notify the State Board of Elections (SBE) in writing within 14 days after the first financial transaction by filing the Cancellation of 2006 Affidavit or Non-Participation; and,
  - File all Campaign Finance Reports in accordance with the applicable reporting schedule, beginning with the first report due following the date of the committee's first financial transaction. Failure to file that report (as well as subsequent reports) will result in the automatic assessment of daily late fees.

Under the penalty of perjury, we, the undersigned, declare that the matters and facts set forth above are true to the best of our knowledge and belief.

Signature of Chairman	Date	Printed Name of Chairman
Signature of Treasurer	Date	Printed Name of Treasurer

## Instructions For Filing The Affidavit Of Non-Participation and Reporting Schedule

### 1. What is the Affidavit of Non-Participation (ANP)?

The ANP is an affidavit filed by a continuing committee stating the committee will not have any financial activity in connection with the current election.

### 2. When do I have to file the Affidavit of Non-Participation?

The ANP must be filed on or before the due date for the first campaign finance report in the election year.

### 3. If the ANP is filed, do I have to file Campaign Finance Reports?

The ANP excuses the campaign finance entity from filing reports associated with an election. It does not relieve the campaign finance entity from filing its Annual Reports. It is **IMPORTANT** for you to know that the State Board of Elections (SBE) sends Pre Report Notices to all campaign committees that our records indicate owe a Campaign Finance Report. If you receive a Pre Report Notice, you must either file the report or immediately contact SBE if you believe the notice was sent in error. If you have filed an ANP the campaign finance entity's reporting schedule is below.

Report Type	Due Date
Annual	January 18, 2006
Pre Primary 1 – (ANP filed)	August 15, 2006
Annual - 2007	January 24, 2007

### 4. Can I raise or spend money in connection with a past or future election for my campaign committee if I file the ANP?

Yes. The ANP only limits your financial activity for the current election. *For example*, your campaign committee may raise money to pay off outstanding obligations from prior elections or begin to raise money for a future election.

### 5. What if I file the ANP and change my mind?

- To cancel the ANP, the campaign finance entity must meet the following criteria:
  - Be a continuing committee; and,
  - File the 2006 Affidavit of Non-Participation with the SBE indicating that the campaign finance entity will not have any financial activity in the Gubernatorial Election Year; and,
  - Begin to participate in the Gubernatorial Election Year; and,
  - File the **Affidavit of Non-Participation- Cancellation** (included in your Supplemental Summary Guide) within 14 days after the first financial transaction related to the election for which you filed the ANP; and,
  - File all Campaign Finance Reports in accordance with the reporting schedule, beginning with the first report due following the date of the committee's first financial transaction relating to the relevant election.

*For example:* Committee A filed the ANP for the Gubernatorial Elections. On September 16, 2006 Committee A made a transfer of funds to a State Senate candidate. Committee A is required to submit the Affidavit of Non-Participation - Cancellation by September 30, 2006. In addition, Committee A is then required to file the October 27, 2006 and November 28, 2006 reports.

### 6. Can I make an expenditure to a Federal candidate if I file the ANP?

No, if an expenditure is made for a Federal candidate on the 2006 General Election ballot, it constitutes participation and the ANP must be cancelled. Generally, State campaign finance entities may only spend money on State and local (county) candidates and issues. It is permissible to make a contribution to a Federal candidate if isolated in occurrence and the entity has federally permissible funds equivalent to the expenditure. Please contact the Federal Election Commission (1-800-424-9530) about contribution and reporting requirements.